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Sent: Friday, March 23, 2007 2:02 PM

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Subject: NSR - An Alternate Path - 3/14/07 Meeting Results & Schedule for Next Meeting

NSR Team and Other 3/14/06 Meeting Attendees;

I want to thank everyone who was able to attend the 3/14/07 NSR Review Committee meeting. After such a long period of apparent inactivity, it was a great showing. I'm grateful you have all remained active in this important endeavour. It was a somewhat contentious meeting (hope we didn't scare our new members away) and we tended to drift off the listed subjects, but I think we accomplished something worthwhile.

Before we schedule another meeting;

DNREC agreed to publish a generalized list of changes intended for the next draft along with the source of the comment inspiring the change. Committee members are expected to comment on the list contents. We will use this list as a guide in preparing draft 5, and;

DNREC agreed to take all the draft 4 comments and weave DNREC responses into draft 5. With all the internal review of the responses and inclusion of DNREC proposed revisions, this process may take some time (10 weeks?). When done, I propose to issue draft 5 by e-mail to the team (it also will be posted on the website). A Review Committee meeting will be scheduled for the next regularly scheduled Tuesday meeting after draft 5 issues (consider Review Committee meetings could be held on three week intervals starting with Tuesday March 27). Everyone will have at least 3 weeks to review the draft before we meet again, and;

DNREC asked that previous draft 4 commentators (and other meeting attendees) check the NSR website for the posted responses to those comments and submit rebuttals (if any) in a timely fashion. We intend, among other things, to develop draft 5 based upon published DNREC responses to comments (as shown on the website) unless there are sound objections. Any objections may be further discussed via e-mail until DNREC is satisfied that the particular issue has received an adequate hearing. Additional discussion of DNREC's position will be welcomed at any time and at any subsequent Review Committee meeting, the

intent is to get a draft 5 finalized as early as possible. New comments from any committee member are welcomed at any time and will receive attention for possible inclusion in draft 5 or later drafts.

At some point, not necessarily before the next meeting, DNREC agreed to consider improving our understanding of EPA's likely reaction to the acceptability of the FEL proposal. This may or may not involve submitting a write-up or a revised Regulation 1125 draft for a preliminary equivalency demonstration. As discussion in the committee meeting indicated, the proper framing of the question to EPA may influence the answer and we want to be sure we do not damage our cause by posing an injudicious question.

Based on the schedule (or lack of one) for the draft 5 issue date, I recommend you consider the currently scheduled meetings postponed until further notice. You will get at least 3 weeks notice of the next meeting when draft 5 issues.

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